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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fiftieth session

SUMMARY RECORD OF THE 541st MEETING

Held at the Palais des Nations, Geneva
on Thursday, 7 October 1999 at 3 p.m.

Chairman: Mr. PÉREZ-HERNÁNDEZ (Spain)

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The meeting was called to order at 3.15 p.m.

REPORTS ON THE WORK OF THE STANDING COMMITTEE (agenda item 5)

(a) INTERNATIONAL PROTECTION (continued) (A/AC.96/914 and 924)

1. Mr. DUSCHINSKY (Canada) said that refugee protection presupposed effective cooperation between States, the Office of the High Commissioner for Refugees (UNHCR) and other organizations. It was also important to encourage greater involvement by non-governmental organizations (NGOs). The history of cooperation between Canadian NGOs, the Canadian Government and UNHCR demonstrated how partnerships could help to make refugee protection more effective.

2. The Kosovo crisis had demonstrated that the international community, and particularly UNHCR, was capable of responding effectively to sudden and massive refugee movements. However, the international community should draw other lessons from the Kosovo experience: in order to protect individuals who had experienced widespread violence, special mechanisms tailored to specific situations should perhaps be included within the basic framework of the Convention relating to the Status of Refugees.

3. The Kosovo crisis should not eclipse crises in other areas of the world where large population movements had occurred and thousands of refugees had been living in camps for years with no prospect of returning to their country. In many such areas, repatriation or other durable solutions were still not realistic options. The international community should continue to cooperate with UNHCR to identify solutions and help those refugees.

4. Illegal migrants brought to Canada by smugglers continued to pose a serious problem for the country's refugee determination system. If abuse and smuggling of migrants were not addressed, the integrity of the international protection system as well as national systems might be placed in jeopardy. Canada believed that the problem could only be resolved through effective international partnerships. The Canadian Government was taking appropriate measures to refuse protection to individuals who had committed crimes against humanity and were therefore not entitled to receive protection under the Convention; it would endeavour to ensure that such people were prosecuted and punished.

5. The international community could only continue to offer protection to persons who really needed it through cooperation with various actors such as UNHCR, States, NGOs, other international aid agencies and new partners, including the private sector. States should cooperate in exchanging information and harmonizing their policies and procedures. The international community had to ensure that the scarce resources at its disposal were used to protect the large number of bona fide refugees who genuinely needed assistance.

6. Ms. SKOUENBORG (Denmark) said that in order to deal with the complex issues raised by protection, the international community and UNHCR should take action in five main areas. First, broader accession to and full implementation of the 1951 Convention and its 1967 Protocol were essential for the establishment of a truly universal refugee protection system. Many countries, particularly in Asia, including members of the Executive Committee, still needed to

take that very important step. Denmark was prepared to work with UNHCR to provide advice and share its experience with countries which were planning to adopt national legislation in accordance with the 1951 Convention and the 1967 Protocol or were in the process of doing so.

7. UNHCR, States and other relevant actors should reinforce their efforts to ensure the highest possible standards of protection in countries of first asylum. Refugees could thus seek effective protection as close as possible to their country of origin, in countries with a similar culture, language and climate, thereby enabling them to adapt more easily to their new environment. Furthermore, refugees in countries of first asylum would be less tempted to move on illegally to other countries.

8. The concept of burden-sharing should be further developed. For the most part, the response to the Kosovo crisis had been an example of equal and effective burden-sharing, and many valuable lessons could be drawn from the success of the Kosovo operation. Denmark was willing to participate actively in consultations with UNHCR, States and other relevant actors to analyse the experiences gained, in particular from the humanitarian evacuation programme, with a view to developing a model framework for future mass outflow situations.

9. The development of subsidiary or complementary forms of protection for persons who required international protection but did not fall within the scope of the 1951 Convention and the 1967 Protocol was another important topic. A consensus seemed to be emerging among members of the Executive Committee on the need to define forms of protection that would set out international minimum standards, incorporating the necessary legal safeguards. Denmark would continue to support that process both regionally and internationally.

10. Finally, States' ability to swiftly identify and return persons who did not require international protection remained a precondition for ongoing worldwide support for the protection regime, and for the efficient operation of any asylum system. UNHCR had an important role to play in that regard; Denmark urged it to continue its cooperation with States, thereby enabling them to improve their ability to handle returns humanely and without excessive force.

11. Ms. GODWIN (Australia) said that her delegation wished to focus on a particular aspect of protection, namely equity. Refugees should be entitled to expect that the international community would meet their protection needs on an equal footing, wherever they were and whatever the nature of those needs. The considerable numbers of internally displaced persons should also be entitled to expect equal treatment in the satisfaction of their basic needs. A number of obstacles needed to be overcome in order to achieve that goal. The cost of managing the refugee identification process in Australia was nearly twice Australia's contribution to UNHCR, and the cost of administering the cases of abusers of the asylum system was more than twice as much again. The same pattern was likely to be repeated in most countries with developed asylum systems. Rapid and large outflows were a fact of life. Protection was heavily dependent on the circumstances, means and preparedness of the country of first asylum. It was the responsibility of UNHCR and the international community to complement the action of the country of first asylum with a view to ensuring equity and sustainable protection. Considering

that it had cost approximately 90 million Australian dollars thus far to evacuate 4,000 Kosovars to Australia and maintain them there, it should be queried whether evacuation was the most cost-effective way to support countries of first asylum, and whether the international community would be prepared to launch a similar operation in the future.

12. Equal treatment was also an important element in identifying durable solutions. Everyone agreed that durable solutions should be identified as early as possible in order to minimize the effects of separation and reduce the risk of refugees' resorting to people smugglers. Early repatriation coupled with well-coordinated humanitarian aid and strenuous efforts to achieve reconciliation was the preferable outcome for all refugees. When that solution was not feasible, the two other durable solutions should be implemented as soon as it became apparent that repatriation was impossible. It seemed that different categories of refugees did not enjoy equal access to the various solutions on offer, or had slower access to them, and some voices had argued that those discrepancies could not be accounted for by the different scenarios involved. The international community, which was collectively responsible for refugees, should henceforth adopt an equity-based standpoint to reconsider protection, the effectiveness of protection in countries of first asylum, and the accessibility of durable solutions.

13. Ms. NIELSEN (Switzerland) said that the Kosovo crisis had yielded a number of lessons regarding the scope of the 1951 Convention; it had also prompted questions as to whether the Convention as it stood was a suitable instrument for handling massive refugee outflows. With hindsight, her Government believed that it was. It could be argued that the Convention had enabled the Swiss authorities to offer protection to some 50,000 Kosovars. The fact that the Convention had been invoked for their benefit showed that it was perceived not as a rigid framework but as an instrument which could be adjusted to suit circumstances. However, it was essential that the fundamental principles of the Convention, and particularly the prohibition of expulsion or return (non-refoulement), should be rigorously adhered to. In that connection, the Executive Committee's conclusion No. 22 had been a valuable aid in interpreting the Convention. A flexible interpretation would enable competent authorities to defer the processing of requests for asylum, to the extent feasible, until it could be determined whether a conflict was likely to end promptly or to drag on. In the case of Kosovo, the Swiss authorities had postponed their decision until the hostilities had ceased.

14. As stated in conclusion No. 22, a massive influx of refugees could impose an excessive burden on a country. States which rapidly and generously admitted refugees at the start of a conflict risked taking on a heavy burden as a host country; that pattern was especially evident when crises dragged on and created long-term protection needs. Encouraging signs of burden-sharing had been demonstrated during the Kosovo crisis, in the form of the humanitarian evacuation programme, but the international community was still a long way from possessing a genuine burden-sharing mechanism. Conclusion No. 22 gave useful indications on how a burden-sharing system should operate.

15. The Kosovo tragedy had been a special case, and given that, in the future, refugee status focused on the individual as prescribed by the 1951 Convention might not be appropriate, it could not be ruled out that another approach might prove necessary. Following the example of the temporary protection status which recent Swiss asylum legislation had granted to large refugee groups fleeing from violence, henceforth it might be a good idea to establish a system of

protection to complement the 1951 Convention without replacing it entirely. And in accordance with the new Swiss asylum law, the introduction of such temporary protection status was no obstacle to the introduction of an asylum procedure.

16. Mr. HUNTER (United States of America) called on all States members of the Executive Committee which had not yet done so to accede to the 1951 Convention and the 1967 Protocol and urged UNHCR to reassess whether protection was receiving all the attention, time and human and material resources which it merited.

17. His Government attached priority to five of the issues raised in the note on international protection (A/AC.96/914). First, the international community could not stand idly by when refugees were exposed to cross-border attacks, forced recruitment, and hostage-taking by armed elements in refugee camps, as had happened in Sierra Leonean camps in Guinea and Liberia. The Executive Committee should urge the political organs of the United Nations to look seriously at the ladder of options proposed by the High Commissioner. States should also investigate all cases of aggression against humanitarian workers and prosecute the perpetrators.

18. The protection of refugee women and children was of paramount importance and should be incorporated into every UNHCR programme. The physical and sexual abuse of refugee women and children remained a widespread problem and all States should take steps to stamp it out. His delegation was also concerned that the position of UNHCR's Senior Coordinator for Refugee Women had been vacant for six months.

19. The United States believed that resettlement was an important instrument of protection, not only for individuals but also in some cases for groups, and commended UNHCR for enhancing its ability to offer such protection. UNHCR was cooperating closely with his Government's African refugee resettlement programme and in 2000 the United States intended to accept approximately 90,000 refugees from various countries of origin.

20. The United States commended UNHCR for its activities to revitalize old partnerships and create new ones. The High Commissioner should also reinvigorate the Partnership in Action (PARinAC) process which had been so useful in providing a link to NGOs from the South. During the Kosovo crisis, coordination and cooperation between States, United Nations bodies, other international organizations, NGOs, military structures and private individuals from all over the world had shown what partnership could achieve. His Government hoped that the same spirit would endure and benefit other parts of the world.

21. The United States had noted with concern that internally displaced persons frequently received inadequate protection; the United Nations system and Member States should take steps to ensure that internally displaced persons received the care and protection they needed. In that connection, his delegation commended the work done by Mr. Deng, the representative of the Secretary-General, to establish guidelines on internally displaced persons.

22. Mr. KIDWAI (Pakistan) said that the recent debate on striking a balance between States' interests and international responsibilities was extremely relevant given the slackening of the international community's commitment to refugees, although the Kosovo crisis had been an exception. In such circumstances, it was critical that UNHCR should not be asked to assume

functions that would undermine its core protection mandate. It was also important to ensure that all refugees were treated equally and to spread the burden among all countries. But developing countries were continuing to host the largest refugee populations, which involved high economic, financial, social, environmental and security costs. Pakistan trusted that UNHCR would be able to devise measures to help developing countries deal with those various burdens.

23. The human rights dimension should always be taken into account whenever a crisis spawned refugee movements. Breaches of the internationally recognized rights of refugees and asylum-seekers were of serious concern. Pakistan shared UNHCR's preoccupation that an increasing number of States were moving away from a law- or rights-based approach to more discretionary and ad hoc arrangements that gave greater weight to domestic concerns rather than international responsibilities. The Convention and the Protocol should be applied consistently and generously. Recourse to the third-country option or the "internal flight" option should only be allowed when the security of individuals was adequately guaranteed. Pakistan believed that the three durable solutions, namely voluntary repatriation, resettlement and integration, were distinct options and should be treated as such. Voluntary repatriation was the preferred solution for large-scale inflows, and in the case of Afghan refugees, Pakistan had no other option. His Government agreed with the Church Committee for Refugees that resettlement was a necessary form of protection for some refugees and that all countries should agree to resettle a certain number of refugees, however small.

24. On the matter of voluntary repatriation, paragraph 48 of the note on international protection (A/AC.96/914) stated that approximately 250 Afghan families had returned home from Pakistan. But UNHCR had failed to mention the numbers of Afghans who left their families in Afghanistan and then returned to Pakistan to earn a livelihood. In areas where peace had been re-established, reconstruction efforts were therefore required to encourage families to remain in Afghanistan. In the meantime, international assistance was required for those refugees who remained in Pakistan. As for the protection conclusions, Pakistan not only set great store by the results of the exercise but also valued the negotiating process itself which had helped to clarify the positions of Governments and clear up any remaining ambiguities.

25. Ms. OKO (Nigeria) said that she welcomed the efforts which States had made to review some of the restrictive elements in their asylum legislation and the accession of a number of States to the 1951 Convention and the 1967 Protocol. Despite the progress that had been made, global protection issues continued to be a cause for concern. Refugee situations were becoming more complex and there had been a gradual erosion of the institution of asylum through the denial of access to asylum procedures, the abuse of the concepts of "safe country of origin" and "internal flight", and the imposition of deadlines for the completion of asylum requests after which applications were no longer accepted. It was also a matter of concern that, in cases where an asylum-seeker lacked the necessary papers or was travelling on false papers, it was automatically assumed that his request was irregular or fraudulent.

26. The physical security of refugees and the presence of armed or criminal elements in refugee populations had been a topic of debate for some time. Cross-border attacks, forced recruitment into combatant forces and confinement in remote and dangerous camps were other protection concerns. It was the duty of States, the international community and UNHCR to tackle those security problems. Nigeria agreed with UNHCR that temporary protection should

enable States to cope with sudden massive influxes of asylum-seekers pending determination of individual refugee status. Regarding the most vulnerable groups, namely women, children and the elderly, Nigeria welcomed the various UNHCR programmes to resolve the serious problems of sexual violence against women and various kinds of child abuse. Much remained to be done to strengthen refugee protection in a comprehensive manner. States must continue to fulfil their humanitarian obligations and show flexibility in interpreting and implementing the 1951 Convention.

27. Mr. SABHARWAL (India) said that there were approximately 300,000 refugees in India, many of whom had been there for decades. Their presence bore witness to the humanitarian tradition of Indian civilization. In its note on international protection (A/AC.96/914), the secretariat had referred to the growing reluctance of States to meet the rising financial, political and environmental costs associated with refugee populations. His Government particularly urged States which had the necessary economic resources to continue to defend fundamental humanitarian values. The restrictive practices adopted in the most prosperous countries exerted a detrimental influence on public opinion in the rest of the world with regard to refugee protection. His delegation shared the secretariat's concern over concepts such as "safe country of origin", "internal flight alternative" and "safe third country". Many developing countries with limited resources had continued to honour their humanitarian obligations towards refugees. It should not be forgotten that one cause of refugee outflows was the grinding poverty that existed in certain regions of the world. The international community should therefore avert humanitarian crises by investing in long-term sustainable development in countries of origin.

28. His delegation could not agree with the views contained in paragraphs 11 and 12 of the note on international protection concerning the 1951 Convention. The Convention failed to address the problem of massive refugee flows or factors such as mixed migration which accompanied such flows. Moreover, when countries which had taken the lead in establishing the Convention had departed from its provisions, it was most unlikely that others would be encouraged to accede to it.

29. India commended the special focus on refugee groups with special protection needs such as women, children and the elderly, and also welcomed UNHCR's efforts to combat violence against refugee women and restrictions on their freedom of movement. Measures to ensure that women were adequately represented in the elected leadership of refugee camps were a welcome initiative. His delegation agreed that local integration was indeed one of three long-term solutions, but its implications as an option for dealing with refugees in a situation of mass exodus into a developing country needed to be carefully considered.

30. Ms. FELLER (Director, Division of International Protection, UNHCR), responding to comments by delegations, said that some delegations such as those of Venezuela, Pakistan and India had focused on the importance of burden-sharing. The same issue was a priority for UNHCR. Pakistan had stressed the need to treat all refugees equally; that would ensure the kind of fair treatment which, as the representative of Australia had pointed out, should always be the aim in view. For Norway, the priority was protection of vulnerable groups such as women and girls; UNHCR entirely agreed with that approach. The assistance which Norway had provided to UNHCR, both generally and specifically for vulnerable groups, deserved special mention. Denmark had offered UNHCR its assistance and experience in all activities to promote the

adoption of national legislation. UNHCR had taken note of that offer and thanked the Danish Government for its cooperation. UNHCR shared the concerns of Canada and Australia regarding the difficulty of distinguishing between persons who genuinely needed protection and those who did not, and had proposed procedures to deal with the problem. The representative of Australia in particular had focused on the concept of equity in refugee protection. UNHCR believed that durable solutions were of course very important, but effective protection in the country of first asylum was also essential. The representative of Switzerland had referred to the scope of the Convention and, on the topic of flexibility of interpretation, had mentioned conclusion No. 22 of the Executive Committee, which could prove useful in interpreting the Convention. Her remarks had demonstrated the value of the Executive Committee's conclusions, which had been quoted by delegations on account of their relevance and importance. The representatives of the United States and the United Republic of Tanzania had focused on the protection of refugee women and children, which was also a priority for UNHCR and its Division of International Protection in particular. She welcomed the joint monitoring mission being carried out in the United Republic of Tanzania by the United States, with UNHCR participation. The mission had made it possible to devise protection indicators which UNHCR would certainly use in its own protection monitoring activities. UNHCR wished to thank Pakistan, Nigeria and India for the sympathy and sensitivity they had shown in appreciating the Office's concerns. The representative of India had usefully focused attention on the underlying causes of refugee flows, which should be a springboard for all further discussions on the issue.

31. The CHAIRMAN said that the Executive Committee had completed its consideration of agenda item 5 (a).

(b) PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS (A/AC.96/912, 913, 920, 924, 925 and 927)

32. The CHAIRMAN invited the Executive Committee to consider the work of the Standing Committee on programme, administrative and financial matters outlined in detail in paragraphs 4 to 12 of the report on the work of the Standing Committee (A/AC.96/925).

33. He understood that the Executive Committee wished to take note of the work of its Standing Committee during the past 12 months and that it was satisfied with the administration of UNHCR's activities and programmes as exercised by the Standing Committee.

34. It was so decided.

35. Ms. CONNELLY (Chairman, UNHCR Staff Council) said that the theme of the Executive Committee's fiftieth session focused on partnership, which was appropriate and pertinent in view of the difficulties which UNHCR had experienced over the past year. The Staff Council wished to dwell on three aspects of partnership which affected UNHCR staff. First of all, there was partnership between staff and management, one result of which had been the adoption of a more equitable and transparent system of contracts, appointments and promotions. Owing to the financial crisis, however, increased feelings of insecurity and low morale were evident at all levels. The problem had been exacerbated by the lack of a career management system. Admittedly, events in Kosovo and East Timor had had an impact on staff numbers, but it was obvious that ad hoc responses could not guarantee job security.

36. Second, there existed a partnership between UNHCR staff and the Executive Committee; the latter, as the representative of the international community, should ensure that UNHCR staff had the capacity to respond to emergencies without prejudice to other operations. Over 40 per cent of UNHCR staff worked in very difficult circumstances where they required not just physical but also job security. Adequate mechanisms must be put in place to provide staff with decent and secure living and working conditions. Security needs should be funded separately, not from administrative expenditure. No United Nations agency should ever have to endanger the safety of its staff owing to lack of funds, nor should it have to prioritize humanitarian and security needs. The Staff Council would also be grateful for future opportunities to brief the Standing Committee.

37. Third, there was partnership between UNHCR staff and the United Nations Secretariat, which had taken a number of decisions of concern to UNHCR staff. In July 1999, the Secretariat had announced a one-third salary reduction for locally recruited staff in Kosovo without applying the necessary procedures. The sole option open to the local staff affected by the decision was the slow and costly internal appeals mechanism. In some cases it took four years for the United Nations to accept responsibility for work-related accidents, which correspondingly delayed compensation payments and the reimbursement of medical expenses. Conditions of service within the United Nations should be based on the internationally recognized standards of the International Labour Organization (ILO).

38. The system of internal justice should be simple, speedy and readily comprehensible, based on mediation and conciliation, and managers must be held accountable for wrong decisions that harmed staff. Two years previously, the United Nations Secretariat had agreed to reform the system of internal justice, but nothing had been done since then. The Executive Committee should ensure that vital reforms were undertaken as soon as possible. UNHCR staff stood ready to cooperate with management to assist the United Nations in general and the High Commissioner in particular to achieve their objectives in a transparent and fair manner.

CONSIDERATION AND ADOPTION OF PROGRAMME BUDGETS (agenda item 6) (A/AC.96/916 and Add.1 and 2; A/AC.96/927)

39. The CHAIRMAN invited the Executive Committee to consider the UNHCR annual programme budget for the year 2000 (A/AC.96/916 and Add.1 and 2). The relevant documents had been closely studied by the Standing Committee, whose views had been taken into account in the draft general decision on administrative and financial matters which had been referred to the Executive Committee for adoption.

40. Mr. FAKHOURI (Controller and Director, Division of Resource Management) said that the new budget presentation was the result of coordinated efforts by UNHCR, the Executive Committee and the Advisory Committee on Administrative and Budgetary Questions (ACABQ). Three changes to the original presentation should be noted. First, no distinction had been made between general and special programmes. Second, the presentation was in accordance with the decision to harmonize the categories of support costs already used by the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and the United Nations Population Fund (UNFPA), which would enable Member States to gain a clearer understanding of UNHCR's support costs and compare them with those of other United Nations

bodies. Lastly, UNHCR had adopted a new list of objectives, products and indicators which would henceforth form the basis of the operations management system. States would thus be able to understand the process of planning and monitoring operations more clearly. UNHCR would welcome any comments by Member States to improve the budget presentation.

41. Ms. BONIFACIO (Director, Division of Operational Support) said that the tables in document A/AC.96/916 showed population figures as of 31 May 1999. Addendum 1, in addition to outlining the requirements in respect of Kosovo and Zambia, updated the tables in the core document to 1 August 1999. The proposed budget for the year 2000 totalled $933,553,000; a breakdown of that figure could be found in table II.3. The Executive Committee had also been requested to approve the revised general programme budget for 1999 in the amount of $413 million. That amount was unchanged from the previous year, except that the budget line items had been readjusted with the sanction of the Executive Committee. The Advisory Committee had stated its opinion that the budget was realistic and therefore had not proposed any adjustments.

42. Ms. FAHLÉN (Sweden) said that the presentation of UNHCR's unified annual budget would provide greater transparency and flexibility in the allocation of UNHCR's resources. Although the Advisory Committee had concluded that the proposed budget was realistic, her delegation wished to propose a closer dialogue between UNHCR and Member States in the elaboration of future programme budgets. Such consultations would enable States to make their financial contributions in a timely and predictable manner. Priorities and the criteria for setting them should be the exclusive responsibility of the High Commissioner and the Executive Committee, and should not be dictated by earmarked or tied contributions.

43. The transparent presentation of administrative and programme support costs would highlight staff-intensive activities and encourage UNHCR to continue its efforts to further improve implementation arrangements. Security measures accounted for the increasing cost of humanitarian organizations; they should be clearly identified in the budget, which should provide a clear picture of the real cost of high-risk operations. Sweden noted that the Board of Auditors had repeated its findings of previous years, and accordingly UNHCR should take proper action to ensure efficient follow-up. Finally, her delegation welcomed the establishment of the Evaluation and Policy Analysis Unit and invited UNHCR to involve various partners in discussions on evaluation activities.

44. Mr. ZELACI (Algeria) welcomed UNHCR's efforts to enhance the transparency and efficiency of financial and administrative management. His delegation endorsed the appeal made by the representative of the Organization of African Unity (OAU) that due attention should be paid to Africa. Algeria noted with concern that the appropriations earmarked for Saharan refugees in the financial year 2000 had been reduced from $3.5 million to $2,639,800. The decision appeared perverse in view of the increase in assistance costs, and could only be to the refugees' detriment. Algeria had assumed all its responsibilities as a host country and wished to strengthen its partnership with UNHCR in order to take better financial care of the refugees.

45. Mr. DUSCHINSKY (Canada) commended UNHCR for having adopted a unified budget presentation which clearly outlined the Office's priorities. While Canada endorsed the total budget for the year 2000, namely $933,553,000, the High Commissioner should nevertheless allocate increased resources to areas such as refugee women and children and evaluation, both in terms of posts and appropriations.

46. Mr. HUNTER (United States of America) commended UNHCR for the valuable documentation associated with the changeover to a unified budget. In 2000, the Executive Committee should expend more time and attention on consideration of the budget, in the light of paragraph 7 (a) of document A/AC.96/916/Add.1. The United States endorsed the total budget for 2000, but, like the representative of Sweden, wished to see more consultations between UNHCR and Member States in outlining the programmes, objectives and priorities for the year 2001. Reintegration, security of humanitarian staff, security at refugee camps, women refugees, emergency preparations and social and economic implications had been some of the issues debated by the Standing Committee in 1999. But the draft decision on administrative and financial matters made no reference to the Standing Committee's conclusions on those topics. His delegation hoped that similar oversights would not occur in future and that precise guidelines would be given on all questions taken up by the Standing Committee.

47. Mr. KIDWAI (Pakistan) commended UNHCR on its presentation of document A/AC.96/916, but objected strongly to the fact that paragraph 547 of the document referred to the protection of Afghan refugees facing security problems in Pakistan, and particularly women at risk. Everyone was aware that Afghan refugees were some of the best protected in the world. No security problems had ever occurred during their 20-year stay in Pakistan and they currently faced no such threats. The wording of the paragraph gave the false impression that the refugees' security was endangered. It was regrettable that UNHCR had made such an insinuation. His delegation hoped that the error would be corrected and not be repeated. Pakistan's commitment to the Afghan refugees should not be denigrated.

48. Mr. LINSCHEER (Netherlands) said that his delegation welcomed UNHCR's new budget structure for the year 2000, which was the result of efforts made by the High Commissioner and the numerous and very valuable consultations between members of the Executive Committee. The new budget outlined not only UNHCR's plans and requirements for the foreseeable future, but also the results which it intended to achieve for each programme. His delegation noted that the total budget took account of the increased cost estimates associated with the Kosovo emergency, and hoped that UNHCR would be able to make the necessary adjustments and implement the budget. The Netherlands would endeavour to give an indication of its contribution for the year 2000 as soon as possible, both in terms of funds not earmarked for a specific purpose and individual country obligations.

49. Mr. FAKHOURI (Controller and Director, Division of Resource Management) said that UNHCR intended to take account of comments by members of the Executive Committee concerning the unified budget with a view to making ongoing improvements. He had taken note of the remarks made by the representative of Sweden concerning the need for closer cooperation between UNHCR and Governments in the matter of programme planning, and the comments of

the representative of the United States on consideration of the Standing Committee's programme. The issue of the allotment of funds would be the subject of further consultations. The comments by the representatives of Algeria and Pakistan would be taken into account by the substantive departments concerned.

50. Ms. BONIFACIO (Director, Division of Operational Support), said that the new budget presentation aimed to introduce greater transparency and thus make UNHCR's programmes more comprehensible to all parties concerned. There was indeed a need to improve dialogue and communication among Member States, the donor community, UNHCR and everyone with jurisdiction in refugee matters. As a number of delegations had remarked, the present budget was a means towards further promoting such coordination.

51. The CHAIRMAN drew the Executive Committee's attention to the draft decision on administrative, financial and programme matters, which had been the subject of an intensive process of consultation with all member delegations under the chairmanship of the Rapporteur. If the Executive Committee was ready to approve the relevant paragraphs dealing with budget levels for 1999 and 2000, the revised 1999 general programme budget in the amount of $413 million contained in table II.8 of document A/AC.96/916/Add.1, the special programme target in the amount of $741.2 million to be found in the same table, and the programme budget for 2000 in the amount of $933,553,000, he took it that the Executive Committee wished to adopt the draft decision.

52. It was so decided.

REPORTS RELATING TO PROGRAMME OVERSIGHT (agenda item 7) (A/AC.96/915, 917 and Add.1, 918, 919 and 927)

53. The CHAIRMAN said that a detailed discussion of documentation relating to audit and oversight matters had already been held at the 16th meeting of the Standing Committee and had been summarized in the report of that meeting (A/AC.96/927). The discussion had also been reflected in the Decision on Administrative, Financial and Programme Matters.

54. Mr. MORRIS (Inspector General, Inspection and Evaluation Service, UNHCR), introducing the report on UNHCR's inspection activities (A/AC.96/918), said that inspection functions were essentially field-based, routine and planned. The current objective was to inspect some 15 countries a year; the selection process was designed to cover all geographical regions and a broad mix of operations. The High Commissioner approved the schedule on the advice of the Oversight Committee. Inspections covered all aspects of UNHCR's field operations, including internal management (through individual confidential interviews with all staff at each field location), external relations (through meetings with UNHCR's key partners in Government, United Nations bodies, NGOs and the diplomatic community), the views of refugees, and the overall effectiveness of UNHCR's presence in the country concerned.

55. UNHCR inspections, which were broadly analogous to those of the inspectorates of some national diplomatic services, provided the High Commissioner and her senior managers with a broad overview of the functioning of UNHCR representation in the field. At field offices, they provided an independent and objective review of performance, an opinion on difficult issues and recommendations on overcoming them.

56. Each inspection began several weeks before the mission with detailed briefings for the inspection team at Headquarters, the completion of confidential individual questionnaires by field staff, and the completion of a comprehensive operations and administrative questionnaire by the field office. The mission itself ended with a debriefing of the senior staff at the field office and a discussion of the draft recommendations. That was followed by debriefings at Headquarters and the presentation of the report and recommendations to the High Commissioner. The follow-up mechanism consisted of implementation of the recommendations and study of the inspection findings with a view to drawing lessons of wider relevance for dissemination to all field offices and senior managers, in cooperation with the Evaluation and Policy Analysis Unit.

57. The Inspector General was also the focal point for investigations into alleged or suspected wrongdoing by UNHCR staff or partners. In addition to the recently appointed special coordinator who dealt exclusively with that matter, actual investigations were carried out by UNHCR staff, the relevant units of the Office of Internal Oversight Services (OIOS), or other agencies depending on the nature of the allegations. There was increasingly close cooperation among all agencies responsible for investigations within the United Nations system, and with the relevant representatives of outside organizations.

58. Mr. JESSEN-PETERSEN (Assistant High Commissioner for Refugees), introducing the report on UNHCR's evaluation activities (A/AC.96/919), said that pursuant to an independent review of the evaluation function carried out the previous year with the financial assistance of Canada, it had been decided to strengthen that function with a view to contributing more directly to the processes of policy development and institutional learning. The new Evaluation and Policy Analysis Unit had commenced operations; its first priority would be to successfully complete the independent evaluation of the UNHCR humanitarian response in Kosovo.

59. Future plans included ensuring the transparency of evaluation and policy analysis by providing access to the Unit's reports, both in hard copy and on the new evaluation Website, in addition to all previous reports compiled by the former Inspection and Evaluation Service between 1996 and 1999. The independence of the evaluation and policy analysis function would be guaranteed by establishing a new roster of consultants and consultancy companies with proven expertise in evaluating humanitarian assistance and development programmes. Steps would be taken to ensure that the evaluation function was managed in a participatory and consultative manner involving members of the Executive Committee and other UNHCR stakeholders, in terms of both evaluation projects and joint evaluation missions. As far as the required resources were concerned, UNHCR had approached a number of Governments to seek evaluation specialists for agreed periods of time or specific projects; UNHCR would also welcome any financial contribution for the evaluation function in general or for specific evaluation projects. The new approach to evaluation should help to enhance UNHCR's

performance, whether in terms of institutional learning or the policy development process. The Head of the Evaluation and Policy Analysis Unit had been involved in a wide range of consultations with members of the Executive Committee, NGOs, other United Nations agencies and private-sector experts to better define the proposed plan of action.

60. Mr. DUSCHINSKY (Canada) said that the information on inspection and evaluation activities had been most valuable and noted with satisfaction that some of the recommendations in the Canadian-sponsored review of UNHCR's evaluation system had been taken on board. UNHCR should also comply with the relevant comments contained in the report of the Board of Auditors (A/AC.96/917).

61. Canada welcomed UNHCR's initiative to carry out an independent evaluation of the Kosovo operation and awaited the findings with interest. The final report should indicate whether UNHCR possessed an adequate rapid-reaction capability to respond to a sudden need for refugee protection and assistance, and whether it had been able to respond to the needs of all the beneficiaries of such assistance, taking due account of their age and sex. His delegation hoped that the report would indicate how the United Nations as a whole could strengthen its capacity to protect civilians in armed conflict, as the Secretary-General had advocated in his report to the Security Council on the subject (S/1999/957).

62. More generally, if UNHCR was to remain a credible and responsible organization, it would have to invest in an evaluation function, the dissemination of evaluation findings, and efforts to promote a learning process in order to remedy any shortcomings and develop new programmes. That kind of investment would necessitate the allocation of sufficient financial and human resources and appropriate training activities.

MEETINGS OF THE STANDING COMMITTEE IN 2000 (agenda item 8)

63. The CHAIRMAN drew attention to the draft decision on the programme of work of the Standing Committee for 2000, which reflected the multi-annual planning method adopted the previous year at the Executive Committee's planning meeting. The draft decision had formed the basis of a consensus at the consultations chaired by the Rapporteur. He took it that the Executive Committee wished to adopt the draft decision.

64. It was so decided.

65. The CHAIRMAN drew attention to the draft decision on the participation of observer delegations in the work of the Standing Committee in 1999-2000. Requests to participate had been received from the Republic of the Congo and Swaziland. Those States should be added to the list in paragraph 1 of the draft decision. The draft decision had formed the basis of a consensus at the informal consultations chaired by the Rapporteur. If there was no objection, he would take it that the Executive Committee wished to adopt the draft decision.

66. It was so decided.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FIFTY-FIRST SESSION OF THE EXECUTIVE COMMITTEE (agenda item 9)

67. The CHAIRMAN drew attention to the draft decision on the provisional agenda of the fifty-first session, which reflected the decision on the Executive Committee's working methods as adopted in 1995 and confirmed in 1996. If there was no objection, he would take it that the Executive Committee wished to adopt the draft decision.

68. It was so decided.

The meeting rose at 5.35 p.m.